

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

HENRY ALEXANDER TOWNSEND,
PETITIONER,

✓.

JAMIE MILLER, SUPERINTENDENT
OF SNACK RIVER CORRECTIONAL
INSTITUTION, ET AL,
DEFENDANTS.

CASE No. 2:25-cv-00843-AR

PETITION FOR WRIT OF
HABEAS CORPUS

PETITIONER, HENRY ALEXANDER TOWNSEND, WHO IS
DETAINED AND RESTRAINED OF LIBERTY AT THE
SNACK RIVER CORRECTIONAL INSTITUTION
LOCATED IN OREGON, OREGON, BY VERTUE OF
A JUDGMENT OF CONVICTION RENDERED IN THE
MATTER OF THE STATE OF OREGON V.
HENRY ALEXANDER TOWNSEND, MULTNOMAH COUNTY
CASE # 100331057.

DEFENDANTS ARE; JAMIE MILLER, SUPERINTENDANT
OF SNACK RIVER CORRECTIONAL INSTITUTION, ET AL,
PROSECUTED IN THIS PROCEEDING BY AND THROUGH
ELLIE ROSKBLUM, ATTORNEY GENERAL FOR THE
STATE OF OREGON, OR HER DESIGNATED ASSISTANT.

PETITIONER ALLEGES THAT DEFENDANTS RETAIN A TRUE COPY OF HIS JUDGMENT OF CONVICTION WITHIN THE DEPARTMENT OF CORRECTIONS BUSINESS RECORDS AND A COPY OF THAT DOCUMENT IS ATTACHED TO THIS FILING.

THE LEGALITY OF THE IMPRISONMENT, INCARCERATION, OR RESTRAINT HAS NOT BEEN ADJUDICATED UPON BY OR THROUGH EXTRAORDINARY WRIT AND NO CAUSE OF PRECLUSION OR INVASION TO SUSPEND ISSUANCE OF THIS WRIT EXISTS.

THE DETENTION, IMPRISONMENT OR RESTRAINT ON PETITIONER WAS AND IS ILLEGAL AND THE ILLEGALITY INCLUDES THE FOLLOWING FEDERAL CONSTITUTIONAL CLAIMS:

A. GROUND ONE: MR. TOWNSEND IS BEING ILLEGALLY AND/OR WRONGFULLY CONFINED IN SOLITARY CONFINEMENT AT SNARK RIVER CORRECTIONAL INSTITUTION WITHOUT A MEANINGFUL REVIEW SUBJECTING HIM TO PROLONGED DURATIONS OF ISOLATION FROM ADEQUATE EXERCISE, CAMPAIGNSHIP, RESTRICTION OF INTELLECTUAL STIMULATION, AND PROLONGED INACTIVITY. PLEASE SEE BROWN

✓. OR. DEP'T CORR., 251 F.3d 983, 985
(9th CIR. 2014) (FINDING A PRISONER'S 27
MONTH PLACEMENT IN "INTRUSIVE" SOLITARY
SEGREGATION "WITH NO MEANINGFUL PRISON"
IMPLICATED A PROTECTED LIBERTY INTEREST
TO SUPPORT A DUE PROCESS CLAIM). PRISONERS
ILLEGAL/WRONGFUL CONFINEMENT IN "INTRUSIVE"
SOLITARY SEGREGATION "WITH NO MEANINGFUL
PRISON" HAS AND CONTINUES TO IMPOSE
ATYPICAL AND SIGNIFICANT HARDSHIP ON
PETITIONER IN RELATION TO THE ORDINARY
INCIDENT OF PRISON LIFE. DAR 291-046-0090
(1) PRISONERS; INMATES ASSIGNED TO ADMINISTRATIVE
HOUSING SHALL REMAIN SO ASSIGNED FOR ONLY
THE SHORTEST LENGTH OF TIME NECESSARY
TO ACHIEVE THE PURPOSE FOR WHICH THE
ASSIGNMENT WAS PRESCRIBED.

SUPPORTING FACTS; THE OREGON DEPARTMENT
OF CORRECTIONS ALONG WITH THE SECURITY
DEPARTMENT OF (ODOC) COMPELLED A PRISON
GUARD TO ASSAULT PETITIONER MULTIPLE
TIMES CREATING A TOXIC ENVIRONMENT. NO
SUITABLE AND/OR APPROPRIATE HOUSING EXISTS
FOR PETITIONER ANYWHERE IN THE OREGON DEPARTMENT
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OF CORRECTIONS. THE 8TH AMENDMENT PROTECTS INMATES FROM ALL INFORMATION IN WHICH DEGRADATION IS PROBABLE AND SELF IMPROVEMENT UNLIKELY BECAUSE OF CONDITIONS THAT INFLECT UNNECESSARY PHYSICAL OR MENTAL SUFFERING. AS LONG PETITIONER REMAINS IN THE OREGON DEPARTMENT OF CORRECTIONS (SDCI) OR ANY OTHER INSTITUTION IN (ODOC) HE IS LIKELY TO SUFFER IRREPARABLE HARM IN THE ABSENCE OF PRELIMINARY RELIEF AND/OR INJUNCTION. PETITIONER HAS AN APPEAL PENDING IN THE 9TH CIRCUIT; PLEASE SEE TOWNSHEND V. BOESER, ET AL 9TH CIRCUIT CASE # 25-147. THE RECORD OF CONSTITUTIONAL VIOLATIONS ALLOWS THE COURT TO GO BEYOND THE NORMAL STANDARD TO IMPLEMENT A REMEDY; SEE Hutto v. Finney, 437 U.S. 678, 678, 98 S. CT. 2566, 2571, 57 L. ED. 2D 522 (1978). WHEN A COURT CONSIDERS WHETHER TO GRANT INJUNCTION IT BALANCES "THE COMPETING CLAIMS OF THE GRANTING OR WITHHOLDING OF THE REQUESTED RELIEF, THE PUBLIC CONSEQUENCES OF EMPLOYING THE EXTRAORDINARY REMEDY OF INJUNCTION," AND PLAINTIFFS LIKELY AND


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OF SUCCESS. *Id.* AT 18-23 (QUOTING *AMOCO*
PROD. CO. v. GAMBELL, 480 U.S. 531, 542
 (1987); *WIEBARGER v. ROMERO-BARCELLO*, 456
 U.S. 305, 312 (1982). AS LONG AS PETITIONER
 REMAINS IN THE OREGON DEPARTMENT OF CORRECTIONS
 ("S.P.C.I.") OR ANY OTHER INSTITUTION IN
 (O.D.C.) HE IS LIKELY TO SUFFER IRREPARABLE
 HARM IN THE ABSENCE OF PRELIMINARY
 RELIEF AND/OR INJUNCTION. PETITIONER'S APPEAL
 PENDING IN THE 9TH CIRCUIT UNITED STATES
 COURT OF APPEALS REFLECTS THAT THE OREGON
 DEPARTMENT OF CORRECTIONS AND ALL DOMESTIC
 PARTNERS HAVE NOT BEEN IN COMPLIANCE
 WITH THE RULE OF LAW; PLEASE SEE
TOWNSEND v. BOWSER, ET AL., 9TH CIRCUIT CASE
 # 25-147. TO PREVAIL A PARTY MUST
 SHOW THERE IS NO GENUINE DISPUTE AS
 TO ANY MATERIAL FACT AND THAT THEY
 ARE ENTITLED TO JUDGMENT AS A MATTER
 OF LAW; *CELOTEX CORP. v. CATERTT*, 477
 U.S. 317, 323 (1986). FALSE IMPRISONMENT HAS
 FOUR ELEMENTS: (1) DEFENDANTS CONFINE THE
 PLAINTIFF; (2) DEFENDANTS MUST INTEND
 THE ACT THAT CAUSES CONFINEMENT; (3)
 DEFENDANTS MUST BE AWARE OF THE CONFINEMENT;
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PRISONER HAS NO OTHER PLAN, SPEEDY OR ADEQUATE REMEDY AT LAW. PRISONER'S PENDING APPEAL; (TOWNSHEND v. BOWSER, ET AL., CASE # 25-147), IN 9TH CIRCUIT IS NOT A TIMELY AND/OR ADEQUATE REMEDY. PRISONER HAS BEEN CONFINED TO SOLITARY CONFINEMENT SINCE 2018; AS RESULT OF THE MISCONDUCT SURROUNDING THIS WRIT. THE IMPROPER DETENTION OR RESTRAINT ON PRISONER IS UNCONSTITUTIONAL AND REQUIRES IMMEDIATE COURT INTERVENTION TO PREVENT FURTHER DEPRIVATION OF CONSTITUTIONAL AND OTHER LEGAL RIGHTS.

FOR THE REASONS SET FORTH IN THIS FEDERAL HABEAS CORPUS; PRISONER, HENRY ALEXANDER TOWNSHEND, RESPECTFULLY REQUEST THAT THE COURT ISSUE THE WRIT OF HABEAS CORPUS.

DATED THIS 11TH DAY OF MAY 2025.


PRISONER
HENRY ALEXANDER TOWNSHEND
SID # 14258900
777 STANTON BLVD
ONTARIO, OR. 97914

CERTIFICATE OF SERVICE

I CERTIFY THAT ON MAY 11TH, 2025; I SERVED THE FORGOING WRIT OF HABEAS CORPUS, MOTION FOR APPOINTMENT OF COUNSEL, AND MOTION TO WAIVE FILING FEES, UPON THE PARTIES HERETO BY THE METHOD INDICATED BELOW:

X ELECTRONIC FILING

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